

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

KOLANA STACKS
on behalf of FMR, a minor

PLAINTIFF

v.

CIVIL ACTION NO. 1:20-cv-153-TBM-LGI

**KILOLO KIJAKAZI, ACTING
COMMISSIONER OF SOCIAL SECURITY**

DEFENDANT

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on submission of the Report and Recommendation [17] entered by United States Magistrate Judge LaKeysha Greer Isaac on December 13, 2021. The Plaintiff, Kolana Stacks, appeals the final Social Security Administration decision of the Administrative Law Judge denying her claim for disability benefits. Judge Isaac recommends that the Court adopt the Report and Recommendation [17] and dismiss the action for failure to prosecute pursuant to FED. R. CIV. P. 41(b).

The Plaintiff has not filed an objection to the Report and Recommendation, and the time for filing an objection has expired. “When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” FED. R. CIV. P. 72(b) advisory committee’s note to 1983 addition (citations omitted). *See Casas v. Aduddell*, 404 F. App’x 879, 881 (5th Cir. 2010) (affirming district court’s dismissal of § 1983 claims and stating that “[w]hen a party fails timely to file written objections to the magistrate judge’s proposed findings, conclusions, and recommendation, that party is barred from attacking on appeal the unobjected-to proposed findings and conclusions which the district court accepted, except for plain error”) (citing *Douglass v. United Serv. Auto Ass’n*, 79 F.3d 1415, 1428-29 (5th Cir. 1996) (en

banc), *superseded by statute on other grounds*, 28 U.S.C. § 636(b)(1)); *Douglass*, 79 F.3d at 1430 (affirming district court's grant of summary judgment).

The Court finds that the Magistrate Judge's Report and Recommendation is neither clearly erroneous nor contrary to law. The Report and Recommendation will be adopted as the opinion of the Court.

IT IS ORDERED AND ADJUDGED that the Report and Recommendation [17] entered by United States Magistrate Judge LaKeysha Greer Isaac on December 13, 2021, is ADOPTED as the opinion of the Court.

IT IS FURTHER ORDERED AND ADJUDGED that this case is DISMISSED WITHOUT PREJUDICE.

A separate judgment will be entered in accordance with Federal Rule of Civil Procedure 58.

THIS, THE 29th DAY OF DECEMBER, 2021.



TAYLOR B. McNEEL
UNITED STATES DISTRICT JUDGE